



In the Matter of

Case No. 95-BCA-1

TECHNOLOGY VECTORS INC.
Appellant

v.

UNITED STATES DEPARTMENT
OF LABOR
Appellee

BEFORE: Levin and Miller¹

ORDER DISMISSING

This matter is before the Board upon the appeal of Technology Vectors Inc. from adverse decisions of a Department of the Air Force Contracting Officer on certain Unresolved Claims and Wage Updates involving Contract Number: F 28609-91-C008, Air Transportation Services. The Office of the Solicitor, U.S. Department of Labor moves that this matter be dismissed. We have reviewed the documents Appellant proffers with its appeal and conclude this Board lacks jurisdiction to consider this dispute. Accordingly, we dismiss this appeal.

The Department of Labor Board of Contract Appeals is empowered, pursuant to 41 CFR §2960.102 (a) to "consider and determine appeals from decisions of contracting officers and other officials of the Department of Labor arising under contracts which contain provisions requiring the determination of appeals by the head of the agency or his duly authorized representative." Technology Vectors submits documentation which shows the contract in dispute here is not a Department of Labor contract, but an Air Force contract administered by an Air Force Contracting Officer. This Board lacks jurisdiction in these circumstances.

We note further that certain aspects of Appellant's claim may involve wage and hour issues, the investigation and enforcement of which reside with the Wage and Hour Division, Employment Standards Administration, (ESA), U.S. Department of Labor. The wage and hour provisions of public contracts are administered by that Division, and enforcement actions, when

¹ The Department of Labor Board of Contract Appeals presently consists of two members pending the appointment of a third member pursuant to the Contract Disputes Act of 1978 (Pg. 95-563).

initiated by ESA, are adjudicated in accordance with 29 CFR Part 6 before Department of Labor Administrative Law Judges, not this Board.

For all of the foregoing reasons, therefore:

ORDER

IT IS ORDERED that this appeal be, and it hereby is, DISMISSED.

STUART A. LEVIN
Judge, DOL/BCA

Concur

EDWARD MILLER
Acting Chairman, DOL/BCA

JAN 25 1996

SAL:jeh